

1 (D) REMARKS, including DRAWING AMENDMENTS, if any

2 RE PARA 1, 2, 3 and 5 OF THE ACTION

3 Enumerated claims are rejected under Section 103. The applicant appreciates the  
4 Examiner's attention to each of the claims in providing distinct and clear rejection  
5 allegations. However, all of the rejections are rendered moot in view of the  
6 amendments to the pending independent claims wherein the colorant is specifically  
7 defined as a "molecular colorant." Contrary to the allegation by the Examiner at Page 3  
8 of the Action, last two lines, and elsewhere that "...Vincent teaches the colorant further  
9 comprising: molecules that exhibit an electric field induced band gap change (col. 3,  
10 Line [sic, no number provided]]to Col. 4, Line 13).," there is only a description in the  
11 Vincent '955 patent of "microencapsulated colorant." That type of colorant is very  
12 different from the "molecular colorant" described and claimed in the present application  
13 and its hard copy Appendix and is fully distinguished in the Background section.

14 A dependent claim includes all the limitations of the claim from which it depends and, as  
15 such, makes specific that which was general. 35 USC 112; 37 C.F.R. Sec. 1.75(c);  
16 Allen Group, Inc. V. Nu-Star, Inc., 197 USPQ 849 (7th Cir. 1978); Ex parte Hansen, 99  
17 USPQ 319 (Pat. Off. Bd. App. 1953). Dependent claims are non-obvious if the  
18 independent claims from which they depend are non-obvious. In re Fine, 5 USPQ2d  
19 1596, 1600 (Fed. Cir. 1988); see a/so Hartness International, Inc. V. Simplimatic  
20 Engineering Co., 2 USPQ2d 1826, 1831 (Fed. Cir. (1987) to the same effect re novelty).  
21 Thus, allowance of a base claim as patentable normally results in allowance of a claim  
22 dependent upon that claim.

23 It is respectfully requested that the rejections be withdrawn.

1 RE PARA. 4 and 6 OF THE ACTION

2 Again, the rejection must fail as with respect to the distinction which must be made  
3 between the "molecular colorant" of the present application and the "microencapsulated  
4 colorant" of the prior art.

5 Moreover, the Action cites and relies on U.S. Pat. No. 6,579,742 (Chen). Chen '742  
6 was filed by and is owned by the common assignee Hewlett-Packard. The reel/frame  
7 number for the Assignment of the present application is 012650/0734, recorded  
8 02/27/02. The reel/frame number of the Chen '742 Assignment is 012230/0833.  
9 Related Pat. No. 6,045,955 has an Assignment at reel/frame number 008921/0649.

10 Furthermore, Chen '742 was filed Sept. 26, 2001, and is a Continuation of Chen '740  
11 (U.S. Pat. No. 6,432,740 filed June 28, 2001). The present invention was filed Oct. 16,  
12 2001.

13 Chen is not a proper reference under Sec. 102 nor Sec. 103.

14 It is respectfully requested that the rejections be withdrawn.  
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16 RE PARA. 7-10 OF THE ACTION

17 No response required.

18 Based upon the foregoing, it is submitted that the application now presents claims which  
19 are directed to novel, unobvious and distinct features of the present invention which are  
20 an advancement to the state of the art. Reconsideration and early allowance of all  
21 claims is respectfully requested. The right is expressly reserved to reassert any and all

1 arguments, including the raising of new arguments, should a Notice of Allowance not be  
2 forthcoming.

3 Questions or suggestions that will advance the case to allowance may be directed to  
4 the undersigned by teleconference at the Examiner's convenience.

5 Date: 10/30/2003  
6

Respectfully submitted,  
Hewlett-Packard Company



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<sup>1</sup> Do not change formal correspondence address; unless PTO/SB/122 is filed herewith, formal correspondence continues to be directed to Hewlett-Packard per the Declaration